

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HILLSIDE PRODUCTIONS, INC., GARY
RONCELLI and JOSEPH VICARI,

Plaintiffs/Counter-Defendants,

v.

Case No. 06-CV-11566

COUNTY OF MACOMB, et al.,

Defendants/Counter-Plaintiffs.

**ORDER GRANTING “DEFENDANTS’ EMERGENCY
MOTION FOR ALTERNATE SERVICE”**

Defendants have filed a motion for an order permitting substituted service of process and an affidavit by a process server reciting the unsuccessful attempts at service of a subpoena. The court finds that service of process cannot reasonably be made in a manner set forth under Michigan law, and that the substitute means requested reasonably are calculated to give non-party CBJ Enterprises, Inc. actual notice of the proceedings and an opportunity to be heard. See Fed. R. Civ. P. 4(e)(1); Mich. Ct. R. 2.105(l)(1). Accordingly,

IT IS ORDERED that “Defendants’ Emergency Motion for Alternate Service” [Dkt. # 142] is GRANTED.

IT IS FURTHER ORDERED that Defendants may serve non-party CBJ Enterprises, Inc. with a subpoena by:

(A) Posting a copy thereof, along with a copy of this petition and order for substituted service of process, at 4743 Don Ct., Warren, MI, the registered address of Jarred H. Coin, the resident agent of CBJ Enterprises,

(B) Mailing a copy of the same by certified mail (return receipt requested) to the address noted above, and

(C) Mailing a copy of the same by first class mail to the address noted above.

Defendants shall file a certificate confirming service as provided herein.

s/ Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: October 12, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 12, 2007, by electronic and/or ordinary mail.

s/Lisa Wagner

Case Manager and Deputy Clerk

(313) 234-5522